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Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re FINISAR CORP. DERIVATIVE
LITIGATION

) Master File No. C-06-07660-RMW-HRL

This Document Relates To:

ALL ACTIONS.

) STIPULATION AND [] ORDER
) EXTENDING DEADLINES FOR (i)
) AMENDING ANSWERS TO THE
) COMPLAINT; AND (ii) FILING MOTION
) TO STRIKE

1 WHEREAS, on May 21, 2008, plaintiffs filed the Supplemental Second Amended
2 Consolidated Verified Shareholder Derivative Complaint for Violation of the Federal Securities
3 Laws (the "SSAC");

4 WHEREAS, on November 2, 2012, pursuant to the parties' Joint Case Management
5 Conference Statement, defendants and Finisar Corporation ("Finisar") filed their answers to the
6 SSAC;

7 WHEREAS, pursuant to Rule 12(f)(2) of the Federal Rules of Civil Procedure, the deadline
8 for a party to file a motion to strike with respect to defendants' and Finisar's answers is November
9 26, 2012;

10 WHEREAS, pursuant to Fed. R. Civ. P. 15(a)(1)(A), the deadline for defendants and Finisar
11 to amend their answers as a matter of course is November 26, 2012;

12 WHEREAS, plaintiffs have informed defendants that they believe that certain of the
13 affirmative defenses contained in defendants' answers should be amended or withdrawn;

14 WHEREAS, in order to facilitate continued discussions between the parties regarding
15 defendants' answers and avoid potentially unnecessary motion practice, plaintiffs and defendants
16 respectfully request the Court extend the deadline for plaintiffs to file a motion to strike pursuant to
17 Fed. R. Civ. P. 12(f)(2), and the deadline for defendants to file a motion to amend pursuant to Fed.
18 R. Civ. P. 15(a)(1)(A), until January 22, 2013.

19 NOW, THEREFORE, the parties hereby stipulate and agree, subject to this Court's approval,
20 as follows:

21 1. The deadline for plaintiffs to file a motion to strike pursuant to Fed. R. Civ. P.
22 12(f)(2) is extended until January 22, 2013.

2. The deadline for defendants to file a motion to amend pursuant to Fed. R. Civ. P. 15(a)(1)(A) is extended until January 22, 2013.

STIPULATED AND AGREED:

DATED: November 21, 2012

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s/ Christopher M. Wood
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Co-Lead Counsel for Plaintiffs

DATED: November 21, 2012

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Counsel for Defendant Stephen Workman

1 DATED: November 21, 2012

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13 DATED: November 21, 2012

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Counsel for Defendant Jerry S. Rawls

I, Christopher M. Wood, am the ECF User whose identification and password are being used to file the Stipulation and [Proposed] Order Extending Deadlines for (i) Amending Answers to the Complaint; and (ii) Filing Motion to Strike. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Sarah A. Good, Lloyd Winawer and Jared L. Kopel have concurred in this filing.

s/ Christopher M. Wood
CHRISTOPHER M. WOOD

* * *

ORDER

Based on the above Stipulation of the parties, by and through their counsel of record, and for good cause showing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The deadline for plaintiffs to file a motion to strike pursuant to Fed. R. Civ. P. 12(f)(2) is extended until January 22, 2013.

2. The deadline for defendants to file a motion to amend pursuant to Fed. R. Civ. P. 15(a)(1)(A) is extended until January 22, 2013.

IT IS SO ORDERED.

DATED: FOFH

Ronald M. Whyte
THE HONORABLE RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE